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In re Application of MIURA et al :  
U.S. Application No.: 10/572,858 :  
PCT Application No.: PCT/IB2005/003212 :  
Int. Filing Date: 27 October 2005 : DECISION  
Priority Date Claimed: 27 October 2004 :  
Attorney Docket No.: 1085-016US01 :  
For: LIGHT-CONTROL MATERIAL AND :  
METHOD OF MANUFACTURING THE SAME :

This is in response to applicant's "Request for Withdrawal as Attorney or Agent and Change of Correspondence Address" filed 03 November 2006.

**BACKGROUND**

On 27 October 2005, applicant filed international application PCT/IB2005/003212, which claimed priority of an earlier Japan application filed 27 October 2004. A copy of the international application was communicated to the USPTO from the International Bureau on 04 May 2006. The thirty-month period for paying the basic national fee in the United States expired on 27 April 2007.

On 22 March 2006, applicant filed national stage papers with the United States Designated/Elected Office (DO/EO/US) including, *inter alia*, the requisite basic national fee.

On 09 June 2006, the attorney of record filed an associate power of attorney.<sup>1</sup>

On 03 November 2006, applicant filed the present request to withdraw as attorney.

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<sup>1</sup> The practitioner is advised that the associate power of attorney practice has been eliminated as of 25 June 2004. See MPEP 402.02.

### DISCUSSION

MPEP 402.06 states in relevant part,

The Director of the United States Patent and Trademark Office usually requires that there be at least 30 days between *approval* of withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a). This is so that the applicant will have sufficient time to obtain other representation or take other action. If a period has been set for reply and the period may be extended without a showing of cause pursuant to 37 CFR 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved. In such a situation, however, withdrawal will not be approved unless at least 30 days would remain between the date of approval and the last date on which such a petition for extension of time and fee could properly be filed.

In the present case, at least 30 days remain between approval of the withdrawal and the later of the expiration date of any time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a).

### CONCLUSION

For the reasons above, the request to withdraw as attorney is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 27 October 2005, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 22 March 2006.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

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